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ADRIAN SCHOOLCRAFT,

5 Plaintiff, /

6 | Index No. .

vs. 10 Civ 6005 (RWS)

8 CITY OF NEW YORK, et al.

9 | Defendants.

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11 VOLUME II

13 | CONTINUED DEPOSITION OF TIMOTHY CAUGHEY

14 New York, New York

15 | Monday, December 9, 2013

16  
17  
18  
19  
20  
21

23 Reported by:

24 Diane Buchanan

25 | JOB NO. 1779274

1                   T. Caughey

2                   Schoolcraft was put on restricted duty?

3                   MR. SHAFFER: Objection.

4                   A. I believe it was the day that he  
5                   was put on restricted duty.

6                   Q. How did you find out about that?

7                   A. I believe health services called  
8                   the precinct and I spoke to health services  
9                   that day. Did they call me, I don't know.

10                  Q. What did they tell you?

11                  A. That he was placed on restricted  
12                  duty.

13                  Q. Did they tell you anything else?

14                  A. I don't recall it. I don't recall  
15                  the conversation.

16                  Q. Do you recall who you spoke to at  
17                  health services?

18                  A. I don't.

19                  Q. Did you ever speak with Lieutenant  
20                  Lee about Schoolcraft?

21                  A. Lieutenant Lee, yes.

22                  Q. How many times did you speak with  
23                  Lieutenant Lee?

24                  A. I don't know how many times.

25                  Q. Who is Lieutenant Lee?

1                   T. Caughey

2                   A. I believe he was from early  
3 intervention.

4                   Q. What is that?

5                   A. It's a unit that it's supposed to  
6 help the police officers that are having  
7 personal problems or problems with their  
8 department.

9                   Q. What kind of problems?

10                  MR. SHAFFER: Objection.

11                  A. I could almost say any problems  
12 that early intervention feels they could be  
13 of assistance with.

14                  Q. Will they help with psychological  
15 problems?

16                  A. I don't know.

17                  Q. Would they help with emotional  
18 problems?

19                  MR. SHAFFER: Objection.

20                  A. I don't know.

21                  Q. Where is early intervention?

22                  A. I believe it's at One Police Plaza.

23                  Q. What did you discuss with Lee about  
24 Schoolcraft?

25                  A. I don't recall the conversation

1 T. Caughey

2 with Lieutenant Lee.

3 Q. Do you recall anything about your  
4 conversation with Lee?

5           A.     If I did recall, Lieutenant Lee  
6 telling me Officer Schoolcraft has to take  
7 the first step and call him. So then I  
8 relayed that message to Officer Schoolcraft.

11 Q. So you called Lee --

12 MR. SHAFFER: Objection.

13 Q. -- is that right?

14 A. I believe I did, but I'm not  
15 100 percent accurate on that.

16 Q. And can you tell me approximately  
17 when you called him?

18 A. I can't.

19 Q. Did you call him before or after  
20 Officer Schoolcraft went on restricted  
21 status?

22           A.    I'm not sure of the time frame, so  
23           I can't answer that.

24 Q. Was it in 2009 that you spoke to  
25 Lee?

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1                   T. Caughey

2                   A. I don't know.

3                   Q. Did anybody tell you to call Lee  
4                   about Schoolcraft?

5                   A. Again, I don't know. It was a long  
6                   time ago.

7                   Q. Do you recall anything else about  
8                   your discussions with Lee, other than the  
9                   fact that Lee told you Schoolcraft has to  
10                  call him first?

11                  A. That's all I recall.

12                  Q. Did you relay that information to  
13                  Schoolcraft?

14                  A. Yes.

15                  Q. What did he say?

16                  MR. SHAFFER: Objection.

17                  A. Again, I don't recall what Officer  
18                  Schoolcraft's response was.

19                  Q. Do you have any knowledge about  
20                  whether or not he did contact early  
21                  intervention or Lieutenant Lee?

22                  A. I don't know if he did.

23                  Q. So as far as you were concerned,  
24                  the matter dropped right there?

25                  A. I don't know if the matter dropped.

1 T. Caughey

2 I don't know if he made that phone call or  
3 not.

4 Q. Did you suggest to him he make the  
5 phone call?

6 A. I don't recall the conversations.

7 I don't know.

8 Q. Why did you believe that it would  
9 be a good idea for Schoolcraft to contact  
10 early intervention?

11 A. I don't know the time frame of when  
12 Lieutenant Lee was contacted, so I don't know  
13 what the situation around that was.

14 Q. So, sitting here today, you have no  
15 recollection about why you were contacting  
16 early intervention, right?

17           A.    I could say that Officer  
18   Schoolcraft was having a problem.   What kind  
19   of problem. I don't know.

20 Q. So you have no idea what kind of  
21 problem he was having in your mind?

22 MR. SHAFFER: Objection.

23           A.    I don't recall what situation  
24   Officer Schoolcraft had at that time that  
25   would have me call Lieutenant Lee.

T. Caughey

Q. Did you ever have any discussions with Weiss about Schoolcraft going to or contacting early intervention?

A. I don't recall the conversations. I can't put my handle on the time frame of when Lieutenant Lee was called.

Q. I'm not talking about when. Did you discuss with Weiss the idea that Schoolcraft should contact early intervention or Lieutenant Lee?

A. I don't recall because I don't recall if Sargent Weiss was my assistant at that time.

Q. I turn your attention to page 58 of your transcript of your --

MR. SHAFFER: Once again, we are discussing a confidential document so I ask this portion of the transcript be made confidential.

Q. Page 58, Bates stamp 10,284. Do  
that you have page, sir?

A. Yes.

Q. There's a reference on line 15 to Weiss being your assistant ICO from January

1 T. Caughey

2 of '08 to April of 2009.

### 3 Do you see that?

4 A. I do.

5 Q. Does that refresh your recollection  
6 that's when Weiss was the ICO assistant?

7 A. A general time frame, yes.

8           Q.     All right.   So that's accurate,  
9     right --

10 MR. SHAFFER: Objection.

11 Q. -- to the best of your  
12 understanding?

13 A. I'm not saying it's accurate.

14 Q. What are you saying?

15           A.     I'm saying I don't recall what the  
16       time frame was at that time. You are talking  
17       about 2009, which is a long time ago. And  
18       when Sergeant Weiss was my assistant, I'm  
19       just not sure.

20 Q. All right. Turn to page 72.

21 There's a question starting on line 11 about  
22 thoughts of early intervention for  
23 Schoolcraft.

24 Do you see that, sir, on line 11?

25 A. I do.

T. Caughey

Q. All right. And early intervention, that was something that was offered to Schoolcraft at the evaluation meetings you attended; is that right?

A. I don't recall that.

Q. Look at your testimony in PG and tell me if that refreshes your recollection.

A. It does not.

Q. Have you read the whole discussion on this page and the following page?

A. I have not.

Q. Please do so find out whether or not that refreshes your recollection about discussions about.

A. Page 72 and 73?

Q. Yes. It goes from line 11 on page 72 through the middle of the next page.

Please read that and tell me whether or not that refreshes your recollection of any discussions that you had about early intervention with respect to Schoolcraft.

A. Does refresh my memory on one aspect of this.

T. Caughey

Q. Okay. What does refresh your memory about --

4           A.     The time frame again I'm not sure  
5     of.    One point in Officer Schoolcraft's  
6     career he wanted to resign.   When that was, I  
7     don't know.   I think I was the administrative  
8     lieutenant at that time so we can say 2004,  
9     2005, maybe 2006.   I believe it was within  
10    that time frame.

11                   He was having trouble I believe at  
12 the time with his father. He was a caretaker  
13 or caregiver and his father was sick. There  
14 was something there like that. He was going  
15 through problems at home related to that. I  
16 think he wanted to retire and we might have  
17 called Lieutenant Lee at that time.

18 Q. Well, this part of your PG talks  
19 about discussing early intervention with  
20 Schoolcraft at the meeting with all of the  
21 supervisors in early 2009.

22                   What I want to know is whether or  
23 not reading this testimony refreshes your  
24 recollection about discussions about early  
25 intervention then.

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1                   T. Caughey

2                   A. It does not.

3                   Q. Do you have any reason to believe  
4                   that the testimony or the statements that you  
5                   made as reflected on page 72, lines 11  
6                   through page 73, line 10 are incorrect?

7                   A. There's -- it appears to me there's  
8                   two time frames here. I'm unfamiliar with  
9                   the meeting, what was said at the meeting. I  
10                  just don't recall. And if you look at line  
11                  19, somebody called early intervention.  
12                  There's a whole program here. I believe that  
13                  is when he wanted to resign, in '04, '05 or  
14                  '06. He came back to the department, he was  
15                  looking to resign then.

16                  Q. Well, all right. If you look at  
17                  page 72, line 11 there's a question put to  
18                  you, sir, and it says:

19                                    "Was there any thought to early  
20                                    intervention?

21                           ANSWER: It was offered to him. At  
22                           the meeting it was offered to him."

23                           Do you see that?

24                          A. I do see that.

25                          Q. And then it goes on: "The

1 T. Caughey  
2 evaluation meeting period, the evaluation  
3 meeting actually I called up and I spoke to I  
4 believe it was Lieutenant Lee from early  
5 intervention because he dealt with him too  
6 this two years before."

7 Do you see that reference?

## 8 A. I do.

9 Q. So am I correct that the subject of  
10 early intervention came up at the meeting you  
11 attended with the other senior officers at  
12 the 81st about Schoolcraft's performance  
13 evaluation?

14 A. I don't recall.

15 Q. Do you have any reason to believe  
16 that the statements that you made from page  
17 72, line 11 to 17 are false or incorrect?

18           A.     They appear to be scrambled.  We  
19  are going from the meeting of his evaluation  
20  to a couple of years earlier.  I don't know.

21 MR. SHAFFER: The words written on  
22 that page, do you have reason to believe  
23 they are incorrect?

24 THE WITNESS: I would say  
25 confusing, they are confusing.

T. Caughey

Q. And why are they confusing to you?

3           A.    Because in my memory, which again  
4    is from many years ago bouncing back from the  
5    time he wanted to resign to that meeting day,  
6    looks like I'm talking about both of them in  
7    the same paragraph.

8 Q. Turn to the next page, 73. There's  
9 a question, Did he go down? And answer: "He  
10 did go down. And what time frame was that,"  
11 is the question after that and then your  
12 answer is, "After the evaluation meeting."

13 | Is that accurate?

14           A.    I don't know if that's accurate. I  
15    can't grasp the time frame. Again, I'm not  
16    grasping the time frame because it's so long  
17    ago. Whether or not that's an accurate  
18    statement, I don't know.

19 Q. Putting aside the aircraft, is it  
20 accurate that Schoolcraft went to early  
21 intervention after the meeting?

22 A. I don't know when he went to early  
23 intervention.

24 Q. When was the first time you met  
25 Officer Schoolcraft?

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1                   T. Caughey

2                   Q. Turn to page 14 of your PG.

3                   MR. SHAFFER: 40 or 14?

4                   MR. SMITH: 14. It's actually

5                   10,240 or page 14.

6                   MR. SHAFFER: We are referring to a  
7                   confidential document. I ask that  
8                   confidential portions of the transcript  
9                   be marked as such.

10                  Q. If you need to read before, you can  
11                  read before. Did you look at that?

12                  A. I have.

13                  Q. Was there a reference to Mauriello  
14                  observing Schoolcraft sitting in a restaurant  
15                  for three hours and you issuing to  
16                  Schoolcraft a command discipline for that?

17                  Do you have any recollection of  
18                  that at all?

19                  A. Yes.

20                  Q. What do you recall?

21                  A. Inspector Mauriello went to the  
22                  borough, which is our next highest command.  
23                  Upon him returning to the command, he told me  
24                  that he observed Officer Schoolcraft at the  
25                  borough three -- two or three hours, four

1 T. Caughey

2 hours, I don't recall what it is, after a  
3 meeting had ended with the personnel sergeant  
4 at the borough. He then told me to issue a  
5 command discipline to Officer Schoolcraft to  
6 be an off post.

7 Q. So Mauriello told you about  
8 something that he observed, is that what you  
9 are saying?

10 A. Yes.

11 Q. And this was in 2009, sometime in  
12 2009?

13 A. I don't know when it was.

14 Q. He told you that he saw Schoolcraft  
15 sitting at a diner or restaurant after  
16 Schoolcraft had had a meeting at the borough?

17 MR. SHAFFER: Objection.

18 Q. Is that what you are saying  
19 Mauriello told you?

20 A. No. I'm saying he observed Officer  
21 Schoolcraft in the area of the borough about  
22 three hours after the meeting had ended. I  
23 think he was standing in front of the borough  
24 or to the side of the borough.

Q. When you say "the area of the

1                   T. Caughey

2                   borough," what do you mean?

3                   A. 179, I think it was 179 Wilson  
4                   Avenue.

5                   Q. And that's the officers for patrol  
6                   borough, Brooklyn North?

7                   A. Yes.

8                   Q. So Mauriello is telling you he saw  
9                   Schoolcraft at the borough meeting with a  
10                  sergeant --

11                  MR. SHAFFER: Objection.

12                  MR. KRETZ: Objection.

13                  Q. -- is that correct?

14                  A. No.

15                  Q. Tell me how I'm wrong. Can you  
16                  tell me what it is that Mauriello told you  
17                  again?

18                  MR. SHAFFER: Objection.

19                  A. Inspector Mauriello told me he  
20                  was --

21                  Q. Inspector Mauriello was at the  
22                  borough?

23                  A. While he was there, he observed  
24                  Officer Schoolcraft at the borough. Be it to  
25                  the right of the borough, in front of the

1 T. Caughey  
2 borough, saying at the borough is the general  
3 area. It was three hours -- he told me it  
4 was three hours after the meeting had ended  
5 with Schoolcraft and the personnel sergeant,  
6 three hours after that meeting.

7 Q. Let me interrupt you so I  
8 understand. Was Mauriello at that meeting?

9 MR. SHAFFER: Objection.

10 A. I don't know.

11 Q. Did you understand Mauriello to be  
12 saying he saw Schoolcraft at a meeting at the  
13 borough and then he saw Schoolcraft hanging  
14 around after the meeting?

15           A.    I'm not saying that.   Officer  
16    Schoolcraft had an assigned meeting time at  
17    the borough with the personnel sergeant.  
18    What time it was, I don't know.   Three hours  
19    after that meeting had ended, Officer  
20    Schoolcraft was observed in front of the  
21    borough.

22 Q. What is your understanding how  
23 Mauriello knew Schoolcraft had a meeting at  
24 the borough?

25 MR. SHAFFER: Objection.

1 T. Caughey

2           A.    It would have come through the  
3   borough -- I don't have an answer. The most  
4   logical answer would be it came from the  
5   borough to roll down where Officer  
6   Schoolcraft would have a post change to the  
7   borough.

8 Q. So Mauriello told you to issue a  
9 command discipline to Schoolcraft; is that  
10 right?

11 MR. SHAFFER: Objection.

12           A.     He told me to issue a command  
13           discipline.

14 Q. And you did that?

15 A. Yes.

16 Q. Do you know where the paperwork on  
17 that is?

18 A. I don't.

19 Q. Did you ever generate any paperwork  
20 to issue a command discipline to Schoolcraft  
21 for this three-hour off-post infraction?

22 A. I believe I did.

23 Q. And that CD would be in your file  
24 that you maintained, the command discipline,  
25 in your office, right?

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1                   T. Caughey

2                   A. I don't know where that CD is.

3                   Q. I understand that, but my question  
4 is: The normal practice would be you can  
5 locate that CD in the file that you maintain  
6 at your office, right?

7                   A. Yes.

8                   Q. And that CD also should be  
9 reflected in the log at the sergeant's desk  
10 at the 81st too; isn't that right?

11                  A. Yes.

12                  MR. SMITH: I will call for  
13 production of that command discipline as  
14 well as the log entry for it at the  
15 sergeant's desk.

16                  MR. SHAFFER: Please put it in  
17 writing.

18                  Q. Isn't it unusual for somebody to  
19 tell another officer to issue a command  
20 discipline for an infraction that the issuing  
21 officer didn't observe?

22                  MR. SHAFFER: Objection.

23                  A. No.

24                  Q. That happens a lot?

25                  MR. SHAFFER: Objection.

T. Caughey

2 A. Not a lot. It happens though, yes.

3 Q. Doesn't it strike you as improper  
4 that one person would be telling another  
5 person to issue a disciplinary charge against  
6 an officer and not be signing the statement  
7 as to what they saw?

8 MR. SHAFFER: Objection.

9           A.    No, that's a supervisor telling a  
10           subordinate to issue a command discipline.

11 Q. What is wrong or, let me ask you  
12 this, what Patrol Guide violation did  
13 Schoolcraft engage in?

14 MR. SHAFFER: Objection.

15 A. I don't have the command discipline  
16 in front of me, so I don't know what the  
17 violation was.

18 Q. Well, I mean, you were the  
19 integrity control officer for three years.  
20 You have 26 years on the force. You mean to  
21 tell me you don't know what the violation is  
22 if you are off post three hours?

23 MR. SHAFFER: Objection.

24           A.     I can make an assumption what the  
25 charge against Officer Schoolcraft was that

1 T. Caughey

2 break.

5                   MR. SMITH: We are going back on  
6 the record. It is 5:14.

7 Q. Mr. Caughey, I put in front of you  
8 what has been marked as Exhibit 44. These  
9 are entries from Officer Schoolcraft's memo  
10 book, one of his memo books that were  
11 produced to me by the law department in this  
12 action.

13 Do you recognize some of the pages  
14 here as being excepts from Officer  
15 Schoolcraft's memo book?

16 A. I would say the first page  
17 identifies it as Officer Schoolcraft's memo  
18 book with his name on it.

19 Q. On the third page there's a  
20 reference to a February 25, 2009 meeting. Do  
21 you see that reference?

22 A. Wednesday, yes.

23 Q. Does that refresh your recollection  
24 about the timing of this meeting?

25 A. It does not.

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1                   T. Caughey

2                   Q. If you go further on in this  
3 exhibit to page 196, there's an entry with a  
4 date March 13, 2009, like I said on page 196,  
5 regarding Sergeant Weiss advising Schoolcraft  
6 he wasn't on his post.

7                   Do you see that reference?

8                   A. Yes.

9                   Q. Is that the unusual entry that you  
10 testified to today about that you noticed  
11 when you scratched his book?

12                  MR. SHAFFER: Objection.

13                  MR. KRETZ: Objection.

14                  A. I thought it was on the back page  
15 of this -- of this page. If it's not the  
16 one, it's similar. I thought it was on the  
17 back page and it's written on the front of  
18 the page.

19                  You know what, I'm going to change  
20 that answer. I'm going to say no, I don't  
21 believe that was the entry I saw that day.

22                  Q. What made you upon reading that  
23 entry believe that this is not the entry?

24                  A. I believe it's entry that I  
25 saw -- again, we are talking about a long

1 T. Caughey  
2 time ago, but I believe the entry that I saw  
3 was on the back page of the memo book and it  
4 identified a conversation or an incident with  
5 Sergeant Weiss and Officer Schoolcraft at the  
6 desk area.

7 Q. Can you flip through the five pages  
8 are the back pages which are at the end of  
9 this document and tell me whether or not you  
10 see that reference there?

11                   While you are flipping through  
12 that, I will mark another set of Officer  
13 Schoolcraft's memo book entries as Exhibit  
14 45. This is Bates stamp number NYC 8614  
15 through 8655.

16 (Excerpt from Adrian Schoolcraft's  
17 memo book bearing production Nos. NYC  
18 8614 through NYC 8655 marked Plaintiff's  
19 Exhibit 45 for identification, as of  
20 this date.)

21 A. I don't see it, no.

22 Q. If you turn to page 197, there's a  
23 reference in Officer Schoolcraft's memo book  
24 to Sergeant Weiss requesting his activity log  
25 and berating him and they gave him an

1 T. Caughey

2 unprofessional conduct in looking at that  
3 entry.

4 Does that refresh your recollection  
5 that this was the unusual entry that you  
6 noticed in Schoolcraft's memo book?

7 A. I believe that is the one, yes.

8 Q. What was unusual about this entry  
9 in the memo book?

10 MR. SHAFFER: Objection.

11 A. That he describes Sergeant Weiss  
12 belittling him.

13 Q. Was it unusual that Sergeant Weiss  
14 was belittling somebody or was it unusual  
15 that Officer Schoolcraft would be making a  
16 note of that in his memo book?

17           A.    Unusual that he would make that  
18 entry in his memo book.

19 Q. Why is that unusual?

20           A.     Because it's not -- because it's  
21     not usual. I haven't seen that many times in  
22     my career.

23 Q. Did you photocopy this entry in  
24 Schoolcraft's memo book?

25 A. I don't recall if I did.

T. Caughey

Q. Did you ever photocopy any entries in Schoolcraft's memo books?

MR. SHAFFER: Objection.

A. Yes.

Q. When did you do that?

A. October 31st.

Q. 2009?

A. I believe it was 2009.

Q. Does looking at this entry refresh your recollection of any discussions that you had with Weiss about the entry in the memo book?

A. I'm going say that I assume we talked about it, but I don't recall speaking to Sergeant Weiss about this.

Q. Does looking at that entry refresh your recollection of any discussions with anybody else about the entry?

A. Say that one more time, please.

21 Q. I asked you earlier if you remember  
22 talking with anybody else other than Weiss  
23 about the memo book entry that you thought  
24 was unusual and you said no, I don't remember  
25 discussing it with anybody else except for

1 T. Caughey

2 Weiss.

3                   My question is: Now after looking  
4                   at the actual entry, does that trigger a  
5                   recollection on your part that you discussed  
6                   the memo book entry with anybody else other  
7                   than Weiss?

8 A. I believe --

9 MR. SHAFFER: Objection.

10 Go ahead.

11           A.     I believe this was the night that  
12     he was off post when I saw this at the bodega  
13     and then we -- I brought the memo book back  
14     to the precinct.

15 Q. Why did you take Officer  
16 Schoolcraft's memo book back to the precinct?

17 MR. SHAFFER: Objection.

18           A.     I believe I was going to make  
19     copies of it.

20 O. Did you make copies of it?

A. I don't recall if I did.

22 Q. Why did you want to make copies of  
23 it?

24 MR. SHAFFER: Objection.

25 A. It was an unusual entry.

1                   T. Caughey

2                   Q.     Did you enter this unusual entry in  
3     any of your logs for that day or reports for  
4     that day?

5                   MR. SHAFFER: Objection.

6                   A.     I don't recall.

7                   Q.     How long did you keep Officer  
8     Schoolcraft's memo book?

9                   MR. SHAFFER: Objection.

10                  A.     I don't recall.

11                  Q.     Did you give it back to him later  
12    that day?

13                  A.     Again, I don't recall.

14                  Q.     Wouldn't Officer Schoolcraft need  
15    his memo book in order to make entries in it?

16                  MR. SHAFFER: Objection.

17                  A.     To make entries in his memo book he  
18    would need the memo book, yes.

19                  Q.     Was it unusual for a superior  
20    officer to take a subordinate officer's memo  
21    book for a sustained period of time?

22                  MR. SHAFFER: Objection.

23                  A.     No.

24                  Q.     Do you recall being told by  
25    Lauterborn to give Schoolcraft his memo book?

1 T. Caughey

2 A. By Captain Lauterborn?

3 Q. Yes.

4           A.    I don't recall if Lauterborn told  
5   me to give the captain his book or give it.

6 Q. Do you remember having a  
7 conversation with Lauterborn about  
8 Schoolcraft's memo book?

9 A. Yes.

10 Q. What do you recall about that?

11       A.     I recall driving back to the  
12 stationhouse and on the radio hearing Officer  
13 Schoolcraft request the duty captain.  And it  
14 was just about that time I was talking to  
15 Captain Lauterborn?

16 Q. And what do you recall happened  
17 next?

18           A.     Well, I believe Captain Lauterborn  
19     directed a sergeant to go pick up Officer  
20     Schoolcraft off his post.

21 Q. Who was the sergeant?

22 A. I don't recall.

23 Q. And did the sergeant bring  
24 Schoolcraft back to the 81st Precinct

1 T. Caughey

2      precinct, yes.

3 Q. And you were at the 81st Precinct  
4 when Schoolcraft was brought back?

5 A. Yes.

6 Q. And what happened next?

7 MR. SHAFFER: Objection.

8           A.    Captain Lauterborn told myself and  
9   Sergeant Weiss to leave his office.

10 Q. So the sergeant who was sent to  
11 retrieve Schoolcraft, retrieved Schoolcraft  
12 and brought him to Captain Lauterborn's  
13 office at the 81st?

14           A.    I don't know how Schoolcraft came  
15    back to the --

16 Q. There came a time when Schoolcraft  
17 was in Lauterborn's office that evening or  
18 that day, correct?

19 A. Yes.

20 Q. And that is the same as a  
21 commanding officer's office?

22 A. Yes.

23 Q. And when Officer Schoolcraft was in  
24 that room with Captain Lauterborn, you and  
25 Weiss were also in the room?

1                   T. Caughey

2                   Q. Do you remember what you were  
3                   wearing on October 31st?

4                   A. No.

5                   Q. Were you carrying a weapon on  
6                   October 31st?

7                   A. Yes.

8                   Q. How many weapons were you carrying?

9                   A. One weapon.

10                  Q. How many weapons were you  
11                  authorized to carry?

12                  MR. SHAFFER: Objection.

13                  A. Two.

14                  Q. What was the weapon that you were  
15                  carrying and what was the other weapon?

16                  MR. SHAFFER: Objection.

17                  A. The weapon I was carrying was a  
18                  Smith & Wesson off-duty revolver. The other  
19                  weapon I owned was a four-wrench  
20                  Smith & Wesson M&P 10, I believe it is.

21                  Q. Where did you carry the one you had  
22                  with you on October 31st or how did you carry  
23                  it?

24                  A. On a belt holster.

25                  Q. Are you right-handed or

1                   T. Caughey

2   left-handed?

3                   MR. SHAFFER: Objection.

4                   A.    Right.

5                   Q.    And where on your belt did you  
6   carry your Smith & Wesson revolver?

7                   A.    On my right side.

8                   Q.    And was it in a harness of some  
9   sort?

10                  A.    A holster.

11                  Q.    What kind of a holster?

12                  A.    A belt holster.

13                  Q.    With a clip that attached to the  
14   belt?

15                  MR. SHAFFER: Objection.

16                  A.    It was attached to the belt, yes.

17                  Q.    Do you have that weapon with you  
18   today?

19                  MR. SHAFFER: Objection.

20                  A.    No.

21                  Q.    Do you still have that weapon in  
22   your possession?

23                  MR. SHAFFER: Objection.

24                  A.    No.

25                  Q.    Why do you no longer have it in

T. Caughey

MR. SHAFFER: Objection.

3                   A.     For the unusual entry that he made  
4     in it.

5 Q. What did you do with that  
6 photocopy?

7           A.     I placed a copy -- I made two  
8     copies of the memo book. I believe I put one  
9     in my office and I put another copy into the  
10   inspector's office.

11 Q. When you say you put another copy  
12 in the inspector's office, what do you mean?

13           A.    I went into his office with the  
14    copies in a manila envelope.  I put it in his  
15    drawer of his desk.

16 Q. Did you write a note in the manila  
17 envelope or on the manila envelope?

18 A. No.

19 Q. Did Mauriello know you were making  
20 copies of the memo book at the time you were  
21 making them?

22 A. No.

23 Q. Did you tell Inspector Mauriello  
24 after making the copies that you made copies  
25 and put a copy in his desk drawer?

1                   T. Caughey

2                   MR. SHAFFER: Objection.

3                   A. I told Inspector Mauriello about  
4 the copies on the day I returned to work.

5                   Q. When was that?

6                   A. I'm not sure of the date I  
7 returned. October 31st I believe was a  
8 Saturday. It was either Monday or Tuesday.

9                   Q. Did you discuss the entries in  
10 Officer Schoolcraft's memo book with anybody?

11                  MR. SHAFFER: Objection.

12                  A. What time frame?

13                  Q. Any time after making the  
14 photocopies.

15                  A. First time I discussed those  
16 photocopies was the day I returned to work.

17                  Q. What about the entry; did you  
18 discuss the entries with anybody in the memo  
19 book after making the copies?

20                  A. Again, the first time I discussed  
21 the contents of the memo book was the day I  
22 returned to work.

23                  Q. And who did you discuss that with?

24                  A. Inspector Mauriello.

25                  Q. What did you tell him?

1 T. Caughey

2           A.     How the memo book came up into the  
3 conversation, I'm not sure. He told me about  
4 the incident with Schoolcraft on Halloween.

5 Q. And what did you tell him about the  
6 memo book?

7           A.    That I made copies of the memo  
8 because back there were unusual entries in  
9 the memo book.

10 Q. What did he say?

11 A. I don't recall.

12 Q. Did it appear to you that Mauriello  
13 was unaware of the entries in the memo book  
14 when you told him about them?

15 MR. SHAFFER: Objection.

16 A. I don't recall.

17 Q. Having gone through Exhibit 45 in  
18 more detail, can you tell me whether or not  
19 this is the photocopy or a photocopy of the  
20 memo book that you took from Officer  
21 Schoolcraft's memo book on October 31, 2009?

22 MR. SHAFFER: Objection.

23 A. I cannot.

24 Q. Do you know what happened to the  
25 copy that you put in your files?

1 T. Caughey  
2 when you took Officer Schoolcraft's book and  
3 made copies for evidence, do you remember  
4 folding down any of the pages or earmarking  
5 or dog-earring any of the pages to the book?

6 A. I don't, no.

7 Q. And so your recollection is that  
8 you photocopied the whole book, right?

9 A. I believe I did, yes.

10 Q. And during that day, did you at all  
11 act in an unusual manner with respect to  
12 Schoolcraft?

13 | MR. SHAFFER: Objection.

14 A. No.

15 Q. Did you brandish your weapon to him  
16 at any time that day?

17 MR. SHAFFER: Objection.

18 A. NO.

19 Q. Did you come within several feet of  
20 him during that day?

21 MR. SHAFFER: Objection.

22 A. Yes.

23 Q. On how many occasions did you come  
24 within several feet of him that day?

25 MR. SHAFFER: Objection.

1                   T. Caughey

2                   A. I don't know how many times.

3                   Q. Did you have any kind of physical  
4 contact with him that day at all?

5                   MR. SHAFFER: Objection.

6                   A. No.

7                   Q. Have you ever listened to any  
8 recordings about that day?

9                   MR. SHAFFER: Objection.

10                  A. Yes.

11                  Q. What recordings have you listened  
12 to?

13                  A. I believe it was the Village Voice  
14 had a weapon site connection to tapes.

15                  Q. And what tape did you listen to  
16 pertaining to that day?

17                  A. I don't recall.

18                  Q. Did it have to do with your  
19 activities with respect to Schoolcraft or  
20 somebody else's activities?

21                  A. I don't recall what was on the  
22 tapes.

23                  Q. You just recall it had something to  
24 do with October 31st?

25                  A. I will go back to change that